

Serial No. 09/277,893

REMARKS

The Final Office Action of December 8, 2005, has been received and reviewed. Claims 17-33, 50-72, and 74-105 are currently pending and under consideration in the above-referenced application, each standing rejected.

Reconsideration of the above-referenced application is respectfully requested.

Rejections under 35 U.S.C. § 103(a)

Each of claims 17-33, 50-72, and 74-105 has been rejected under 35 U.S.C. § 103(a).

The standard for establishing and maintaining a rejection under 35 U.S.C. § 103(a) is set forth in M.P.E.P. § 706.02(j), which provides:

To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, and not based on applicant's disclosure. *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991).

Fischer in View of Chen

Claims 17, 19-24, 26-33, 102, and 103 have been rejected under 35 U.S.C. § 103(a) for reciting subject matter which is assertedly unpatentable over the subject matter taught in U.S. Patent 5,185,291 to Fischer et al. (hereinafter "Fischer"), in view of teachings from U.S. Patent 5,712,206 to Chen (hereinafter "Chen").

Fischer teaches a fuse for use in a semiconductor device structure, as well as a process for fabricating the fuse. The fuse of Fischer, which is disposed over an insulative structure (i.e., dielectric 10) (see, e.g., FIGs. 1-4; col. 2, lines 29-36), includes a first conductive layer 11 and a second conductive layer 12. The first conductive layer 11 of the finished fuse may be formed from aluminum or tungsten (col. 2, lines 43-45) and includes two spaced apart end regions (FIG. 3). The second conductive layer 12 of the fuse may be formed from the same